IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

SATURDAY, THE 18TH AUGUST 2007 / 27TH SRAVANA 1929

WP(C).No. 23498 of 2007(V)

PETITIONER:

DR. JACOB THOMAS PUTHUPALLIL,
READER IN AYURVEDA (ON LEAVE), MAIN CENTRE,
SREE SANKARACHARYA UNIVERSITY OF SANSKRIT,KALADY,
ERNAKULAM DISTRICT.

BY ADV. SRI.N.SUGATHAN
SMT.VARSHA BHASKAR
SRI.S.PRASANTH (AYYAPPANKAVU)

RESPONDENTS:

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1. SREE SANKARACHARYA UNIVERSITY OF
SANSKRIT, REPRESENTED BY THE REGISTRAR,
P.O. KALADY, ERNAKULAM-683574.

2. SYNDICATE OF SREE SANKARCHARYA
UNIVERSITY OF SANSKRIT, REPRESENTED BY THE
VICE CHANCELLOR, P.O. KALADY, ERNAKULAM-683574.

BY ADV. SRI.K.ANAND, SC, SANSKRIT UTY.
SMT.LATHA KRISHNAN,SC,SANSKRIT UTY.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. Basheer, J.

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W.P(C) No. 23498 of 2007

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Dated this the 18th day of August, 2007.

J U D G M E N T

Heard learned counsel for the petitioner and the learned Standing Counsel.

2. In the counter affidavit it is averred by the Registrar of the University that the course in Ayurveda had been abolished since Council of Indian Medicines had not accorded recognition. The other contentions raised by the Registrar also indicate that the petitioner cannot be accommodated in the University for the time being, since there is no sufficient workload. It is also seen mentioned that the request made by the University for permission to start BAMS Course in the University is pending consideration before the Government. Anyhow, the fact remains that petitioner has cancelled the unavailed portion of his Leave Without Allowances. He had informed the University about his preparedness to join duty in the first week of August, 2007. That being the position, the University cannot refuse to admit the petitioner.

3. In the above facts and circumstances the University is directed to re-admit the petitioner to duty forthwith. It is made clear that it will be open to the University to take appropriate further action in the matter in accordance with the provisions contained under the Act and the Statutes.

Writ Petition is closed reserving the right of the petitioner to approach the Court again, if the situation so warrants.

A.K. Basheer
Judge.

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